

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 693 - SB 1011

February 27, 2011

SUMMARY OF BILL: Excludes Class D felonies from the classes of offenses that are eligible for pre-trial diversion. Limits circumstances under which a prosecutor may be found to have abused prosecutorial discretion for denying a request for pre-trial diversion. Creates interlocutory right of appeal of a judicial determination that a denial of pre-trial diversion was an abuse of prosecutorial discretion.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Class D felony cases in which pre-trial diversion is granted are infrequent under current law. No significant increase in the number of offenders housed in local jails or admitted to the Department of Correction.
- According to the District Attorneys General Conference, these changes will not have a significant impact on the workload of prosecutors.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White".

James W. White, Executive Director

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